

Application to Planning Commission and Board of Supervisors

Application For: (check appropriate boxes)
☐ Rezoning

☐ Rezoning & Special Use Permit

☒ Special Use Permit

Owner/Applicant Information: (Use current mailing/contact information for all property owners. An additional sheet may be attached for multiple owners.)

 Property Owner: Carolyn D. King
William Mark King, Jr.

Agent: _____

 Address: 3070 Seven Mile Tree Rd
Christiansburg VA 24073

Address: _____

 Phone 1: 540-381-5645

Phone 1: _____

Phone 2: _____

Phone 2: _____

 Email: mkingii@hotmail.com

Email: _____

Location of Property/ Site Address: 3070 Seven Mile Tree Rd Christiansburg VA 24073
Legal Record of Property: Total Area: 7.2168 **Acres** **Magisterial District** Riner
Parcel ID: 023225 **Tax Parcel Number(s):** 104-1-12
Rezoning Details: Current Zoning District: _____ **Requested Zoning District:** _____

Desired Use(s): N/A
Special Use Permit: Current Zoning District A-1 **Total Area/Acres:** 7.2168
Desired Use(s): Contractor's Storage Yard
Comprehensive Plan Designation: _____

Traffic Impact Analysis Required: ☐ Yes (payment enclosed) ☐ No

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

William M King Jr 10/28/10

Agent's Signature

Date

Carolyn D. King 10/28/10

Property Owner(s) Signature

Date

FOR OFFICE USE ONLY

Date Received: _____

Application Number: _____

 Traffic Impact Analysis and Payment Received: ☐ Yes ☐ No

Date Submitted to VDOT: _____

Additional Special Use Permit Requirements

The applicant for special use permit shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

Section 10-54(3)(g), Montgomery County Zoning Ordinance

Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification"). **Yes, Rural Comp Plan Designation**
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control. **We do not store fuel onsite. This SUP should not contribute to any fire hazards.**
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area. **We have grown pine trees as a barrier around the area where the equipment is kept. We have installed a privacy fence to shield the one neighbor where the pine trees died. Interstate 81 is 50 yards from our property. The sound from it drowns out other sounds.**
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
There is one dusk to dawn light with a cone shaped shield on the end of the storage building that was installed 13 years ago. It does not affect the neighbors due to the screening of trees and privacy fence.
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance. **We do not have signs and do not plan to use any in the future.**
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels. **The neighbors on the East are zoned agriculture and neighbors on the North are Rural Residential. Tractors and other farm equipment are brought in as needed. Our property sits back behind the other homes on our road. The location where we keep our equipment is not visible from Seven Mile Tree Road.**
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood. **See attached**
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood. **We are screened by mature trees on three sides of the property that the equipment would be kept on. We have installed an eight foot privacy fence to completely shield neighbors at the Southeast (back of the property) of us. We are enclosing concrete pad #2 (#5 on map legend) with 4 foot fencing. This is where the extra pipe and other material will be kept.**

9. The timing and phasing of the proposed development and the duration of the proposed use. **We would like to build two storage buildings (each 1200 sq ft or less) sometime in the future. They would be placed in the general location of the two existing concrete pads (#4 & #5 on map). We also want to build a carport for our family vehicles within the next year or so. We plan on continuing this line of work and using our property to keep our equipment as long as we own this land. See attached concept drawing.**
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance. **We are very careful to protect the area from erosion or other damage. Owner has Erosion Control License and will get a land disturbance permit if needed.**
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public. **Our business does not affect the public because our customers do not come to our house.**
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement. **As stated in #11, we do not have customer traffic. The only traffic is our vehicles in and out. We travel the .7 miles on Seven Mile Tree Road and our driveway. We are very careful regardless if neighbors are walking/exercising or not. There is an average of four trips per day for business use.**
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County. **n/a**
14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services. **n/a We do business paperwork off of our kitchen table.**
15. The effect of the proposed Special Use Permit on groundwater supply. **n/a**
16. The effect of the proposed Special Use Permit on the structural capacity of the soils. **n/a**
17. Whether the proposed use will facilitate orderly and safe road development and transportation.
We will not develop another road to the area.
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. **Our equipment does not harm wildlife or vegetation. There are plenty living around us. There isn't a water supply on our land. The exhaust from starting a truck or piece of equipment isn't noticeable. Interstate I-81 lies on the other side of Seven Mile Tree Road with much more emissions each day.**
19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan. **We are a small family owned business. We have been responsible tax payers since starting the business and will continue to do so.**
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth. **We do anticipate building storage buildings in the future. This should not affect others around us.**
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County. **n/a**
22. The location, character, and size of any outdoor storage. **See attached**

23. The proposed use of open space. **We plan to park our equipment i.e.: dump truck, excavators, skid steer, etc. in the area between our house and the concrete pad and pine trees.**
24. The location of any major floodplain and steep slopes. **There are no floodplains or steep slopes in proposed area.**
25. The location and use of any existing non-conforming uses and structures. **n/a**
26. The location and type of any fuel and fuel storage. **Fuel is not stored onsite.**
27. The location and use of any anticipated accessory uses and structures. **See attached, future buildings (1200 sq ft or less) will be used to store equipment.**
28. The area of each use; if appropriate.
29. The proposed days/hours of operation. **6 AM-9PM, unless an emergency. We are considering doing snow removal this winter. If we do take this on, hours will be different.**
30. The location and screening of parking and loading spaces and/or areas. **We have the mature trees and a privacy fence as screening.**
31. The location and nature of any proposed security features and provisions. **We have one dusk to dawn light that lights the area. We do not have customer traffic nor security problems.**
32. The number of employees. **Family owned business with family members running the business. At some time in the future, our business could grow to 3 or 4 employees that are not family or live on said property.**
33. The location of any existing and/or proposed adequate on and off-site infrastructure. **n/a**
34. Any anticipated odors, which may be generated by the uses on site. **n/a**
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas. **We do not conduct business with customer's onsite. We go to them and provide excavation services. This does not affect neighbors unless they need our service.**

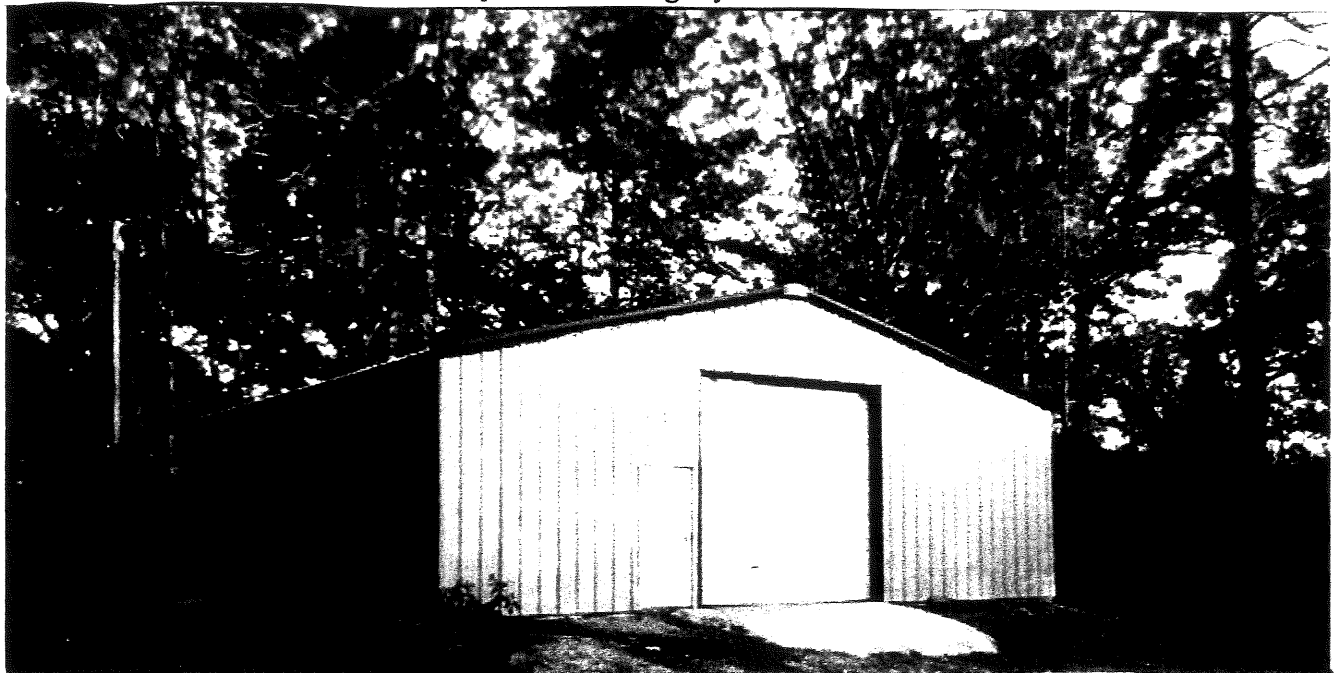
Reason for Application

William Mark, II and Carolyn D. King, owners of 3070 Seven Mile Tree Road and The King & I, Inc are applying for a Special Use Permit to keep our excavation equipment on said property. The business was created and incorporated in 2000. We have been responsible landowners and business owners. Once we learned of this violation, we strived to come in compliance and have erected a privacy fence to completely screen off the left side of our property from our closest neighbors. We have one dusk to dawn light that was put up prior to our starting the business. The row of pine trees and the privacy fence screens our light for our neighbors. Interstate 81 is 50 ft from our property. Any sound of our equipment running is drowned out by the traffic noise. We are careful not to reeve the engines, etc. We are also in the fly zone of helicopters transporting patients to and from Carilion New River Valley Medical Center.

Description of Business

We operate an excavation business. We do not have customers that come to our property nor do we have heavy traffic in and out of our driveway onto Seven Mile Tree Road. Our equipment is left on the job site and only brought back to our property in between jobs. We are careful not to inconvenience our neighbors or make our road unsafe for them. We have even helped our neighbors by using the equipment to smooth out their driveways, move dirt or clear out snow as asked without compensation. We hope that we can obtain the SUP and be able to continue serving our community and neighbors.

Proposed Building Style and Color.



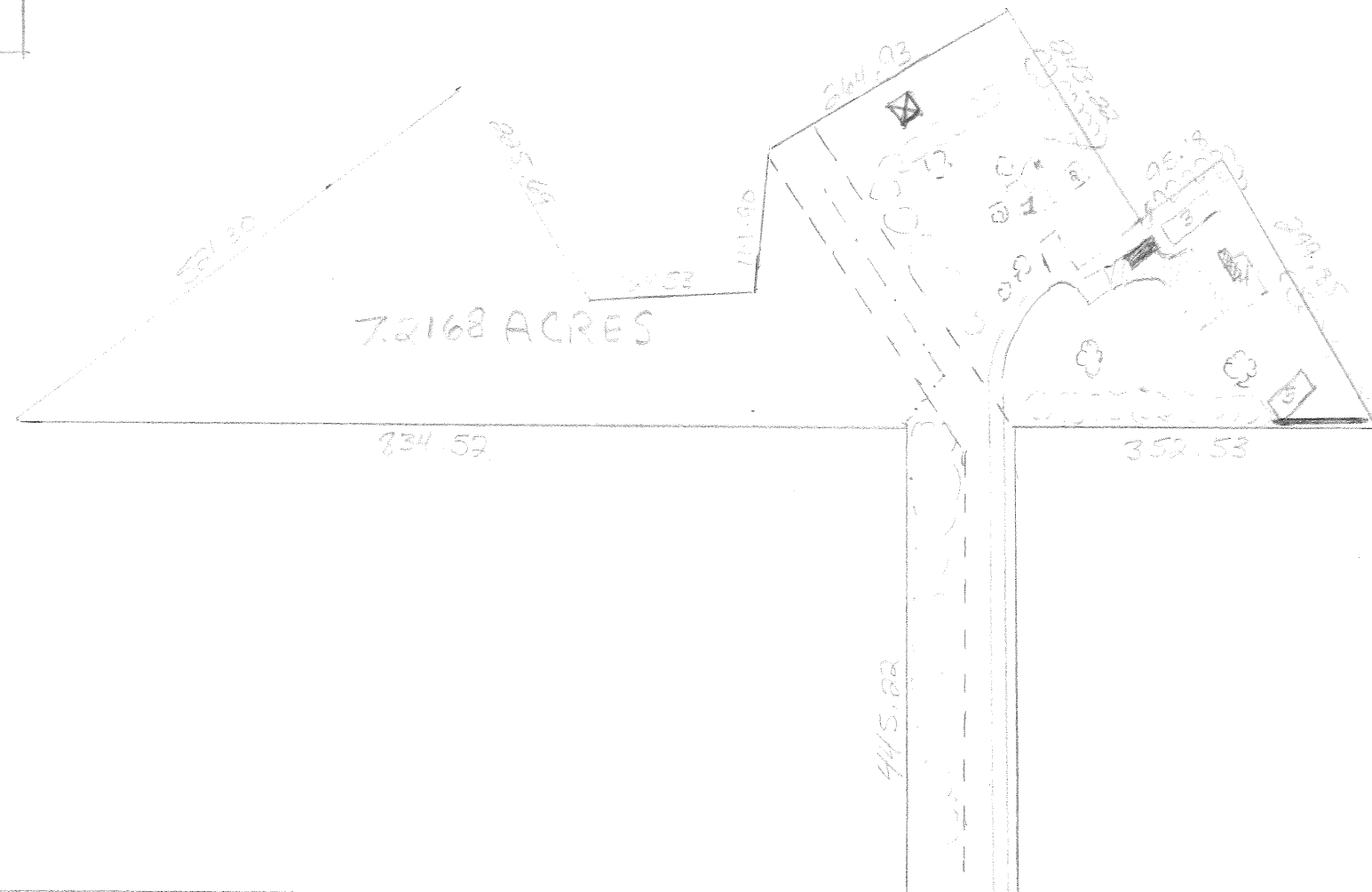
Plat of 3070 Seven Mile Tree Rd.

☒	Aero Power Tower
1	House #3070
2	Personal Storage (16x16)
3	Personal Storage (35x65)
4	Concrete Pad (35x40)
5	Concrete Pad (20x60)
▨	Proposed Equipment Storage (50'00' SE)
▩	Personal Storage (8x28)
—	Privacy Fence
==	Driveway
---	Fence
Scale	1/2" = 100'
(C)	Trees

Existing

Contractors Storage Yard only to include Property East of R/W	
---	R/W to 100' 0"
▨	Proposed Storage
1	All measurements in Feet
William M. King II 3070 SEVEN MILE TREE ROAD Concept Plan For SUR October 28, 2010	

MAGNETIC NORTH



Seven Mile Tree Rd.